

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

CASA DE MARYLAND, INC., et al.,

*Plaintiffs,*

v.

JOSEPH R. BIDEN, in his official capacity as President of the United States, et al.,

*Defendants.*

No. 8:19-cv-2715-PWG

**JOINT STATUS REPORT**

In response to this Court’s April 6, 2021, Paperless Order, ECF No. 144, the Parties file the following status report:<sup>1</sup>

The posture of the various cases challenging the Department of Homeland Security’s now-vacated Public Charge Rule remains largely unchanged. As of Plaintiffs’ most recent Status Report, ECF No 143, the States of Texas, Alabama, Arizona, Arkansas, Indiana, Kansas, Kentucky, Louisiana, Ohio, Oklahoma, Mississippi, Montana, South Carolina, and West Virginia (“the States”) had filed an application with the Supreme Court seeking permission to intervene in the case challenging the Rule that originated in the Northern District of Illinois. Application for Leave to Intervene, *Texas v. Cook County*, No. 20A150 (S Ct. Mar. 26, 2021). On April 26, 2021, the Supreme Court denied the States’ application without prejudice to the States seeking leave to intervene in the district court. Order, *Texas v. Cook County*, No. 20A150 (S Ct. Apr. 26, 2021). The States subsequently filed in the district court a motion to intervene along with a

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<sup>1</sup> The Parties have consulted with the Plaintiffs in *City of Gaithersburg v. U.S. Department of Homeland Security*, No. 8:19-cv-2851-PWG (D. Md.), who agree with the contents of this Status Report.

motion for relief from the court's vacatur order. Opposed Motion to Intervene, *Cook County v. Wolf*, No. 1:19-cv-06334 (N.D. Ill. May 12, 2021), ECF No. 256; Opposed Motion for Relief from Judgment Pursuant to Fed. R. Civ. P. 60(B), *Cook County v. Wolf*, No. 1:19-cv-06334 (N.D. Ill. May 12, 2021), ECF No. 259. Briefing of those motions is ongoing, and the court has scheduled a hearing on them for July 9, 2021.

The States also filed a motion with the Supreme Court seeking permission to intervene in the cases challenging the Public Charge Rule that originated in district courts in the Ninth Circuit for the purpose of appealing the Ninth Circuit's affirmance of preliminary injunctions against the Rule. Motion for Leave to Intervene, *Arizona v. City & County of San Francisco*, No. 20M81 (S. Ct. Apr. 30, 2021). On June 1, 2021, the Supreme Court held the States' motion in abeyance pending filing and disposition of a petition for a writ of certiorari seeking review of the Ninth Circuit's denial of the States' motion to intervene. Order, *Arizona v. City & County of San Francisco*, No. 20M81 (S. Ct. June 1, 2021). The States have yet to file their anticipated petition.

The Parties continue to anticipate that this case can be resolved expeditiously if the States' various efforts to intervene in the cases challenging the Public Charge Rule are denied. Consistent with the Court's April 6, 2021, paperless order, the Parties propose that they file another joint status report by August 6, 2021.

Dated: June 7, 2021

Respectfully submitted,

/s/ Jonathan L. Backer

Jonathan L. Backer (D. Md. 20000)

Amy L. Marshak\*

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INSTITUTE FOR CONSTITUTIONAL ADVOCACY

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 7, 2021, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

*/s/ Jonathan L. Backer*  
Jonathan L. Backer